FOURTH DAY

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representatives Buttars and Shurtliff, excused.

Pledge of Allegiance and prayer by Representative Don E. Bush.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

January 23, 2002

The Senate passed **S.B. 40**, TUITION ASSISTANCE APPROPRIATION FOR NATIONAL GUARD, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore Secretary of the Senate

Communication filed. **S.B. 40**, read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

REPORTING OF DATA TO THE AUTOMATED GEOGRAPHIC REFERENCE CENTER

H.B. 131 Loraine T. Pace

THIS ACT MODIFIES PROVISIONS RELATING TO INFORMATION TO BE PROVIDED TO THE AUTOMATED GEOGRAPHIC REFERENCE CENTER. THE ACT REQUIRES THE LIEUTENANT GOVERNOR TO SUBMIT TO THE CENTER COPIES OF GOVERNOR PROCLAMATIONS RELATING TO THE CREATION OR ANNEXATION OF COUNTIES AND COPIES OF CERTIFICATIONS RELATING TO CHANGES IN CONGRESSIONAL, SCHOOL, SENATE, AND HOUSE DISTRICTS. THE ACT REQUIRES COUNTIES TO SUBMIT INFORMATION TO THE CENTER RELATING TO THE ESTABLISHMENT, DIVISION, ABOLITION, OR

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CHANGE OF VOTING PRECINCTS. THE ACT REQUIRES THE STATE TAX COMMISSION TO SUBMIT TO THE CENTER INFORMATION IT RECEIVES FROM LOCAL GOVERNMENT ENTITIES RELATING TO CHANGES IN LOCAL GOVERNMENT BOUNDARIES. THE ACT ALSO MAKES TECHNICAL CHANGES, read the first time by short title and referred to the Rules Committee.

SALE OF STATE LANDS AT DEVELOPMENTAL CENTER

H.B. 132 Margaret Dayton

THIS ACT MODIFIES THE SALE OF STATE DEVELOPMENT CENTER LANDS BY REQUIRING LEGISLATIVE APPROVAL BEFORE THE LANDS MAY BE SOLD, read the first time by short title and referred to the Rules Committee.

NATURAL GAS TECHNICIAN CERTIFICATION

H.B. 133 Gordon E. Snow

THIS ACT MODIFIES THE CONSTRUCTION TRADES LICENSING ACT. THE ACT PROVIDES THAT A PERSON THAT INSTALLS OR REPAIRS A RESIDENTIAL OR COMMERCIAL NATURAL GAS APPLIANCE OR A COMBUSTION SYSTEM MUST BECOME CERTIFIED. THE ACT MODIFIES CERTAIN EXEMPTIONS FROM LICENSURE. THE ACT ADDS AND MODIFIES DEFINITIONS. THE ACT MODIFIES UNLAWFUL CONDUCT PENALTY PROVISIONS, read the first time by short title and referred to the Rules Committee.

UNAUTHORIZED ELECTRONIC TRANSACTIONS

H.B. 134 A. Lamont Tyler

THIS ACT MODIFIES THE UNIFORM COMMERCIAL CODE TO CREATE A PENALTY FOR CERTAIN UNAUTHORIZED ELECTRONIC TRANSACTIONS, read the first time by short title and referred to the Rules Committee.

AMENDMENTS TO LEGISLATIVE SALARY PROCESS

H.B. 135 *Merlynn T. Newbold*

THIS ACT MODIFIES THE TITLE ADDRESSING THE LEGISLATURE TO REQUIRE THAT THE LEGISLATURE ACTS BEFORE LEGISLATIVE

SALARIES CAN BE INCREASED. THE ACT REJECTS THE SALARY INCREASE RECOMMENDED BY THE LEGISLATIVE COMPENSATION COMMISSION AND MAINTAINS THE INITIAL SALARY AMOUNTS PAID EFFECTIVE JANUARY 1, 2001. THE ACT REQUIRES THE LEGISLATURE BY JOINT RESOLUTION TO APPROVE, LOWER, OR REJECT THE LEGISLATIVE COMPENSATION COMMISSION'S RECOMMENDATION OR THE RECOMMENDATION IS CONSIDERED REJECTED. THIS ACT ALSO MAKES TECHNICAL CHANGES, read the first time by short title and referred to the Rules Committee.

APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS

H.B. 271

LaWanna Lou Shurtliff

THIS ACT MODIFIES PROVISIONS RELATED TO THE STATE SYSTEM OF PUBLIC EDUCATION BY ALLOWING THE STATE BOARD OF EDUCATION TO DISTRIBUTE FUNDS TO CERTAIN SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS. THIS ACT ESTABLISHES CRITERIA FOR THE DISTRIBUTION OF THE FUNDS. THIS ACT PROVIDES AN ONGOING APPROPRIATION OF \$400,000 FROM THE UNIFORM SCHOOL FUND FOR FISCAL YEAR 2002-03 TO THE STATE BOARD OF EDUCATION FOR DISTRIBUTION TO CERTAIN SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS. THIS ACT TAKES EFFECT ON JULY 1, 2002, read the first time by short title and referred to the Rules Committee.

UTAH EDUCATION NETWORK AMENDMENTS

H.B. 272

Thomas V. Hatch

THIS ACT MODIFIES PROVISIONS RELATED TO THE STATE SYSTEM OF HIGHER EDUCATION BY REQUIRING ANY TELECOMMUNICATIONS SERVICES DISTRIBUTION FACILITY OWNED BY THE UTAH EDUCATION NETWORK (UEN) TO BE USED EXCLUSIVELY FOR THE SUPPORT OF PUBLIC OR HIGHER EDUCATION AND PROHIBITING UEN FROM BUILDING OR ACQUIRING ANY FACILITIES FOR THE DELIVERY OF TELECOMMUNICATIONS SERVICES IF COMPARABLE FACILITIES AND SERVICES CAN BE PROVIDED BY A PRIVATELY OWNED TELECOMMUNICATIONS CORPORATION AT COMPARABLE COSTS. THIS ACT REQUIRES THE UEN STEERING COMMITTEE TO INCLUDE THREE REPRESENTATIVES OF PRIVATE INDUSTRY AND CLARIFIES THAT A SCHOOL DISTRICT MAY ACQUIRE TELECOMMUNICATIONS SERVICES FROM A

PRIVATELY OWNED TELECOMMUNICATIONS CORPORATION IRRESPECTIVE OF SERVICES PROVIDED BY UEN, read the first time by short title and referred to the Rules Committee.

DESIGNATION OF I-80

H.B. 273 Don E. Bush

THIS ACT MODIFIES THE TRANSPORTATION CODE BY DESIGNATING A SECTION OF A STATE HIGHWAY ROUTE THE PURPLE HEART TRAIL, read the first time by short title and referred to the Rules Committee.

RESOLUTION CLOSING COURT FACILITY

H.J.R. 17 Chad E. Bennion

A JOINT RESOLUTION OF THE LEGISLATURE APPROVING THE CLOSURE OF THE DISTRICT COURT WITHIN THE MUNICIPAL BOUNDARIES OF MURRAY CITY, UTAH, AND PROVIDING AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 8, REPEAL OF NATIONAL GUARD ADVISORY BOARD, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle S.B. 8.

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- **S.B. 10**, REVISIONS TO SENATE ADVISE AND CONSENT POWERS, read the third time by short title and placed on its final passage.
 - **S.B. 10** then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Bryson	Buffmire

D. Clark S. Clark D. Cox Bush **Dayton Daniels Donnelson Duckworth** Ferrin **Ferry** Fife Garn Goodfellow Hansen Harper Hatch Hendrickson Hogue Holdaway E. Hutchings **Jones** King Litvack Lockhart **McCartney** Mascaro Moss Murray Pace Parker **Philpot** Peterson Siddoway Ray Saunders Seitz G. Snow **Thompson** Styler **Swallow Throckmorton Tyler** Ure **Urquhart** Way M. Stephens Wallace Winn

Absent or not voting were: Representatives

Alexander Beshear Buttars Curtis
Dillree Gowans B. Johnson Morgan
Newbold Shurtliff Young

S.B. 10 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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S.B. 12, TRANSFER OF YOUTH SERVICES OVERSIGHT, read the third time by short title and placed on its final passage.

On motion of Representative Bowman, the House voted to circle S.B. 12.

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- **S.B. 22**, ATTEMPTED MURDER AMENDMENTS, read the third time by short title and placed on its final passage.
 - **S.B. 22** then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Bryson	Buffmire
Bush	D. Clark	S. Clark	D. Cox

Curtis	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	E. Hutchings	Jones	King
Litvack	Lockhart	Mascaro	McCartney
Morgan	Moss	Murray	Newbold
Pace	Parker	Peterson	Philpot
Ray	Seitz	Siddoway	G. Snow
Styler	Swallow	Thompson	Throckmorton
Tyler	Ure	Urquhart	Wallace
Way	Winn	Young	M. Stephens

Absent or not voting were: Representatives

Alexander Beshear Buttars Gowans
B. Johnson Saunders Shurtliff

S.B. 22 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Hansen, the House voted to uncircle S.B. &

- **S.B. 8**, REPEAL OF NATIONAL GUARD ADVISORY BOARD, was before the House on its final passage.
 - **S.B. 8** then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	D. Clark	S. Clark
D. Cox	Curtis	Daniels	Dayton
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	Holdaway	E. Hutchings	B. Johnson

Day 4

Jones

Philpot

G. Snow

Wallace

Throckmorton

McCartney Saunders Styler

Morgan **Parker** Seitz Swallow Ure

Winn

Litvack

Moss Peterson **Siddoway** Thompson Urquhart

Lockhart

Absent or not voting were: Representatives

Tyler

Way

Alexander

Dillree **Buttars**

Murray

Young

Ray Shurtliff M. Stephens

S.B. 8 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 224, GIVING FALSE INFORMATION TO POLICE OFFICER, read the third time by short title and placed on its final passage.

On motion of Representative Parker, the bill was amended as follows:

1. Page 1, Line 19: Delete "A" and insert "B"

On motion of Representative McCartney, the House voted to circle **H.B. 224**.

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- MENTAL HEALTH PROFESSIONAL FINANCIAL ASSISTANCE GRANTS - TECHNICAL AMENDMENTS, read the third time by short title and placed on its final passage.
 - **H.B. 225** then passed on the following roll call:

Yeas, 56; Nays, 8; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Adair Alexander S. Allen Anderson Arent **Barrus** Beck **Bennion**

Beshear	Bigelow	Biskupski	Bourdeaux
Bowman	Buffmire	Buttars	D. Clark
S. Clark	D. Cox	Curtis	Daniels
Duckworth	Ferrin	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hendrickson	Hogue	Holdaway	E. Hutchings
B. Johnson	Jones	Litvack	Mascaro
McCartney	Morgan	Moss	Murray
Newbold	Pace	Parker	Peterson
Ray	Seitz	Siddoway	G. Snow
Styler	Tyler	Ure	Urquhart
Wallace	Way	Winn	Young

Voting in the negative were: Representatives

AagardBrysonBushDaytonDonnelsonHatchLockhartPhilpot

Absent or not voting were: Representatives

Becker Bradshaw Dillree Ferry
King Saunders Shurtliff Swallow
Thompson Throckmorton M. Stephens

H.B. 225 transmitted to the Senate for its consideration.

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H.B. 227, ELECTRONIC MONITORING OF PROBATIONERS - CRIMINAL INTERFERENCE, read the third time by short title and placed on its final passage.

On motion of Representative Bryson, the House voted to circle H.B. 227.

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H.B. 237, SPOUSE ABUSE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle H.B. 237.

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H.B. 249, SALES AND USE TAX - LOCATION OF TRANSACTIONS, read the third time by short title and placed on its final passage.

H.B. 249 then passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	E. Hutchings	B. Johnson	Jones
Litvack	Lockhart	McCartney	Morgan
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Seitz	Siddoway	G. Snow	Styler
Tyler	Urquhart	Wallace	Way
Winn	Young	M. Stephens	•

Absent or not voting were: Representatives

Becker	Beshear	Bradshaw	Holdaway
King	Mascaro	Saunders	Shurtliff
Swallow	Thompson	Throckmorton	Ure

H.B. 249 transmitted to the Senate for its consideration.

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H.B. 250, RETIREMENT LAW RECODIFICATION, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle H.B. 250.

UNFINISHED BUSINESS

On motion of Representative Hatch, the House voted to uncircle H.B. 60.

H.B. 60, INDIVIDUAL INCOME TAX - STATE EARNED INCOME TAX CREDIT, was before the House on its final passage.

H.B. 60 then passed on the following roll call:

Yeas, 63; Nays, 4; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson
Barrus	Beck	Bennion
Bigelow	Biskupski	Bourdeaux
Bryson	Buffmire	Bush
D. Clark	S. Clark	Curtis
Dayton	Dillree	Donnelson
Ferry	Fife	Garn
Gowans	Hansen	Harper
Hendrickson	Hogue	Holdaway
B. Johnson	Jones	Litvack
McCartney	Morgan	Moss
Newbold	Pace	Parker
Philpot	Ray	Saunders
Siddoway	G. Snow	Styler
Urquhart	Wallace	Way
Young	M. Stephens	-
	Barrus Bigelow Bryson D. Clark Dayton Ferry Gowans Hendrickson B. Johnson McCartney Newbold Philpot Siddoway Urquhart	Barrus Beck Bigelow Biskupski Bryson Buffmire D. Clark S. Clark Dayton Dillree Ferry Fife Gowans Hansen Hendrickson Hogue B. Johnson Jones McCartney Morgan Newbold Pace Philpot Ray Siddoway G. Snow Urquhart Wallace

Voting in the negative were: Representatives

Alexander D. Cox Ferrin Lockhart

Absent or not voting were: Representatives

Becker Bradshaw King Shurtliff Swallow Thompson Throckmorton Ure

H.B. 60 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 255, UTAH HOUSING CORPORATION, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle H.B. 255.

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H.J.R. 11, RESOLUTION REQUIRING PUBLIC NOTICE PRIOR TO SPECIAL SESSIONS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the bill was amended as follows:

1. Page 1, Line 24: Delete "<u>72</u>" and insert "<u>48</u>"

H.J.R. 11, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Bennion	Beshear	Bigelow	Bourdeaux
Bowman	Bradshaw	Bryson	Buffmire
Bush	Buttars	D. Clark	S. Clark
D. Cox	Curtis	Daniels	Dayton
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hogue
Holdaway	E. Hutchings	B. Johnson	Litvack
Lockhart	Mascaro	McCartney	Morgan
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Throckmorton	Tyler
Urquhart	Wallace	Winn	Young
M. Stephens			3

Absent or not voting were: Representatives

Becker	Biskupski	Dillree	Hendrickson
Jones	King	Swallow	Thompson
Ure	Way		_

H.J.R. 11 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **H.B. 255.**

H.B. 255, UTAH HOUSING CORPORATION AMENDMENTS, was before the House on its final passage.

On motion of Representative Bigelow, the bill was amended as follows:

1. Page 12, Line 366: Delete "corporation" and insert "Utah Housing Corporation"

2. Page 13, Line 372: Delete line 372

3. Page 13, Line 373: Delete "(d)" and insert "(c)"

4. Page 13, Line 375: Delete "(e)" and insert "(d)"

5. Page 13, Line 378: Delete "(f)" and insert "(e)"

6. Page 13, Line 380: Delete "(g)" and insert "<u>(f)</u>"

7. Page 13, Line 385: Delete "(h)" and insert "(g)"

8. Page 13, Line 379:
Delete "corporation" and insert "Utah Housing Corporation"

9. Page 13, Line 392: After "Tax" insert "Act"

10. Page 13, Line 396:
Delete "corporation" and insert "Utah Housing Corporation"

11. Page 14, Line 408:
Delete "corporation" and insert "Utah Housing Corporation"

12. Page 14, Line 415:
Delete "corporation" and insert "Utah Housing Corporation"

13. Page 14, Line 417:
Delete "corporation's" and insert "Utah Housing Corporation's"

14. Page 14, Line 418:
Delete "corporation" and insert "Utah Housing Corporation"

15. Page 14, Line 427:
Delete "corporation" and insert "Utah Housing Corporation"

16. Page 14, Line 428:
Delete "corporation" and insert "Utah Housing Corporation"

- 17. Page 15, Line 431:
 Delete "corporation" and insert "Utah Housing Corporation"
- 18. Page 15, Line 433:
 Delete "corporation" and insert "Utah Housing Corporation"
- 19. Page 15, Line 437:
 Delete "corporation" and insert "Utah Housing Corporation"
- 20. Page 15, Line 453:
 Delete "corporation" and insert "Utah Housing Corporation"
- 21. Page 15, Line 455:
 Delete "corporation" and insert "Utah Housing Corporation"
- 22. Page 16, Line 461:
 Delete "corporation" and insert "Utah Housing Corporation"
- 23. Page 16, Line 467:
 Delete "corporation" and insert "Utah Housing Corporation"
- 24. Page 16, Line 473:
 Delete "corporation" and insert "Utah Housing Corporation"
- 25. Page 16, Line 479: Delete line 479
- 26. Page 16, Line 480: Delete "(d)" and insert "(c)"
- 27. Page 16, Line 482: Delete "(e)" and insert "(d)"
- 28. Page 16, Line 485: Delete "(f)" and insert "(e)"
- 29. Page 16, Line 487: Delete "(g)" and insert "(f)"
- 30. Page 16, Line 492: Delete "(h)" and insert "(g)"
- 31. Page 16, Line 486:
 Delete "corporation" and insert "Utah Housing Corporation"

32. Page 17, Line 502:
Delete "corporation" and insert "Utah Housing Corporation"

33. Page 17, Line 514:
Delete "corporation" and insert "Utah Housing Corporation"

34. Page 17, Line 521:
Delete "corporation" and insert "Utah Housing Corporation"

35. Page 17, Line 523:
Delete "corporation's" and insert "Utah Housing Corporation's"

36. Page 18, Line 524:
Delete "corporation" and insert "Utah Housing Corporation"

37. Page 18, Line 533:
Delete "corporation" and insert "Utah Housing Corporation"

38. Page 18, Line 534:
Delete "corporation" and insert "Utah Housing Corporation"

39. Page 18, Line 537:
Delete "corporation" and insert "Utah Housing Corporation"

40. Page 18, Line 539: Delete "corporation" and insert "Utah Housing Corporation"

41. Page 18, Line 540:
Delete "corporation" and insert "Utah Housing Corporation"

42. Page 18, Line 543:
Delete "corporation" and insert "Utah Housing Corporation"

43. Page 19, Line 559:
Delete "corporation" and insert "Utah Housing Corporation"

44. Page 19, Line 561: Delete "corporation" and insert "Utah Housing Corporation"

45. Page 19, Line 569:
Delete "corporation" and insert "Utah Housing Corporation"

H.B. 255, as amended, then passed on the following roll call:

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	Buttars	D. Clark
D. Cox	Curtis	Daniels	Dayton
Dillree	Donnelson	Duckworth	Ferrin
Ferry	Fife	Garn	Goodfellow
Gowans	Hansen	Harper	Hatch
Hendrickson	Holdaway	E. Hutchings	B. Johnson
Litvack	Lockhart	Mascaro	McCartney
Morgan	Moss	Murray	Newbold
Pace	Parker	Peterson	Philpot
Ray	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Throckmorton
Tyler	Ure	Urquhart	Wallace
Winn	Young	M. Stephens	

Absent or not voting were: Representatives

Becker S. Clark Hogue Jones King Saunders Thompson Way

H.B. 255, as amended, transmitted to the Senate for its consideration.

 $H.B.\ 12$ removed from the Consent Calendar and placed at the bottom of the Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Allen, the House voted to uncircle H.B. 207.

H.B. 207, LICENSES FOR EDUCATORS, was before the House on its final passage.

H.B. 207 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Aagard	Alexander	S. Allen	Anderson
Arent	Barrus	Beck	Bennion
Beshear	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Bryson	Buffmire

Bush	Buttars	D. Clark	D. Cox
Curtis	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	Holdaway	E. Hutchings	Litvack
Lockhart	Mascaro	McCartney	Morgan
Moss	Murray	Newbold	Parker
Peterson	Philpot	Ray	Seitz
Shurtliff	Siddoway	G. Snow	Styler
Swallow	Thompson	Tyler	Ure
Urquhart	Wallace	Way	Winn
Young	M. Stephens	-	

Absent or not voting were: Representatives

Adair Becker S. Clark B. Johnson Jones King Pace Saunders

Throckmorton

H.B. 207 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.J.R. 14, JOINT RESOLUTION - DEBT LIMITS FOR POLITICAL SUBDIVISIONS, read the third time by short title and placed on its final passage.

H.J.R. 14 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Aagard	Alexander	S. Allen	Anderson
Arent	Barrus	Beck	Bennion
Beshear	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Bryson	Buffmire
Bush	Buttars	D. Clark	D. Cox
Curtis	Daniels	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hendrickson	Hogue	Holdaway
E. Hutchings	B. Johnson	Litvack	Lockhart
Mascaro	McCartney	Morgan	Moss
Murray	Newbold	Parker	Peterson

Philpot Ray **Saunders** Seitz Shurtliff Siddoway G. Snow Styler **Swallow** Thompson **Throckmorton** Ure Wallace Winn Urquhart Way M. Stephens Young

Absent or not voting were: Representatives

Adair	Becker	S. Clark	Dayton
Hatch	Jones	King	Pace
Tyler		· ·	

H.J.R. 14 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle H.B. 51.

H.B. 51, SALES AND USE TAX - TAXABILITY OF PARTS AND LABOR, was before the House on its final passage.

On motion of Representative Harper, the House voted to delete **H.B. 51** in title and body and insert **Sub. H.B. 51** in lieu thereof.

Sub. H.B. 51 then passed on the following roll call:

Yeas, 63; Nays, 1; Absent or not voting, 11.

Aagard	Alexander	S. Allen	Anderson
Arent	Barrus	Beck	Bennion
Beshear	Bigelow	Biskupski	Bowman
Bradshaw	Bryson	Buffmire	Bush
D. Clark	D. Cox	Curtis	Daniels
Dayton	Dillree	Donnelson	Duckworth
Ferrin	Ferry	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hogue	Holdaway
E. Hutchings	B. Johnson	Lockhart	Mascaro
McCartney	Morgan	Moss	Murray
Newbold	Parker	Peterson	Philpot
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Thompson
Throckmorton	Ure	Urquhart	Wallace
Winn	Young	M. Stephens	

Voting in the negative was: Representative

Litvack

Absent or not voting were: Representatives

Adair	Becker	Bourdeaux	Buttars
S. Clark	Jones	King	Pace
Rav	Tyler	Wav	

Sub. H.B. 51 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.J.R. 15, RESOLUTION PROMOTING FINANCIAL LITERACY FOR UTAH STUDENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the bill was amended as follows:

- 1. Page 1, Line 10:
 After line 10, insert "WHEREAS: family financial education begins in the home, and can be strengthened and reinforced in the school setting."
- 2. Page 2, Line 30:
 After "the Utah State Office of Education," insert "the Utah Parent Teachers' Association,"
- **H.J.R. 15**, as amended, then passed on the following roll call:

Yeas, 49; Nays, 13; Absent or not voting, 13.

Aagard	S. Allen	Anderson	Arent
Beck	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Buffmire	Bush	Buttars	D. Clark
S. Clark	Curtis	Daniels	Dillree
Duckworth	Ferry	Fife	Garn
Goodfellow	Hansen	Harper	Hatch
Hendrickson	Hogue	Holdaway	E. Hutchings
B. Johnson	Litvack	Mascaro	McCartney
Morgan	Moss	Murray	Newbold
Peterson	Ray	Seitz	Shurtliff
Tyler	Urquhart	Wallace	Young
M. Stephens	-		_

Voting in the negative were: Representatives

Alexander	Barrus	Bryson	Donnelson
Ferrin	Gowans	Lockhart	Philpot
G. Snow	Thompson	Throckmorton	Way
Winn	-		·

Absent or not voting were: Representatives

Adair	Becker	D. Cox	Dayton
Jones	King	Pace	Parker
Saunders	Siddoway	Styler	Swallow
I Jre			

H.J.R. 15, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:00 p.m.

Representatives Harper, Jones, and Philpot were excused.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

January 24, 2002

The Senate passed **S.B. 110**, CHILD PLACEMENT DETERMINATIONS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 4**, REPORTS TO HEALTH AND HUMAN SERVICES, by Senator T. Spencer, and it is transmitted for consideration; and

The Senate passed **S.B. 37**, MUTUAL WATER COMPANY CHANGE APPLICATIONS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed **S.B. 45**, BIRTH CERTIFICATE FOR STILLBORN CHILD, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed **S.B. 47**, PROCUREMENT CODE AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed **S.B. 51**, NURSE PRACTICE ACT AMENDMENTS, by Senator P. Julander, and it is transmitted for consideration; and

The Senate passed **S.B. 88**, ENVIRONMENTAL SELF-EVALUATION ACT AMENDMENTS, by Senator B. Wright, and it is transmitted for consideration; and

The Senate passed **S.B. 89**, SAFE DRINKING WATER ACT - ADMINISTRATIVE PROCEDURE AMENDMENTS, by Senator B. Wright, and it is transmitted for consideration; and

The Senate passed **S.B. 90**, DRINKING WATER BOARD LOAN AND GRANT AMENDMENTS, by Senator B. Wright, and it is transmitted for consideration; and

The Senate passed **S.B. 93**, CLASSIFICATION OF CERTAIN LEGISLATIVE RECORDS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 98**, OUTDOOR ADVERTISING AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed **S.B. 99**, CORE CURRICULUM AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed **S.B. 107**, UTAH LABOR COMMISSION AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed **S.B. 109**, LICENSING OF GENETIC COUNSELORS TECHNICAL AMENDMENTS, by Senator P. Julander, and it is transmitted for consideration.

Annette B. Moore Secretary of the Senate

Communications filed. S.B. 110, S.B. 4, S.B. 37, S.B. 45, S.B. 47, S.B. 51, S.B. 88, S.B. 89, S.B. 90, S.B. 93, S.B. 98, S.B. 99, S.B. 107, and S.B. 109, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 24, 2002

The Business and Labor Committee recommends **H.B. 44**, TRUSTEES OF TRUST DEEDS AMENDMENTS, by Representative D. Clark, be replaced and favorably recommends **1st Sub. H.B. 44**, TRUST DEEDS AMENDMENTS; and

The Business and Labor Committee recommends **H.B. 191**, PREDATORY MORTGAGE LENDING, by Representative P. Ray, be replaced and reports a

favorable recommendation on 1st Sub. H.B. 191, MORTGAGE LENDING **DISCLOSURES** with the following amendments:

1. Page 6, Line 170:

After "Section 61-2c-102" insert ", unless the compensation is de minimis as defined by the division"

2. Page 8, Line 221:

After "disclosing" insert ", if such is the case"; and

The Business and Labor Committee recommends H.B. 110, MOTOR VEHICLE INSURANCE AND CREDIT INFORMATION, by Representative P. Wallace, et al, be replaced and favorably recommends 1st Sub. H.B. 110, MOTOR VEHICLE INSURANCE AND CREDIT INFORMATION.

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the Business and Labor committee were adopted.

Sub. H.B. 44, Sub. H.B. 191, as amended, and Sub. H.B. 110, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 24, 2002

The Education Committee reports a favorable recommendation on **H.B. 111**, STATE RESPONSIBILITY FOR REGULATION OF POSTSECONDARY PROPRIETARY SCHOOLS, by Representative A. Bradshaw, with the following amendments:

- 1. Page 6, Lines 160-163: After "exemption." delete the rest of line 160 and lines 161,162, and 163
- 2. Page 6. Line 181:

After "action." insert "Subsection 2 does not apply to an institution exempted under Subsection (1)(e)."; and

The Education Committee reports a favorable recommendation on H.B. 76, PROCESS FOR CREATION OF NEW SCHOOL DISTRICTS, by Representative D. Cox, with the following amendments:

1. Page 1, Line 25: After "Education;" delete "or"

- 2. Page 1, Line 26:
 After "governor" delete the period and insert "; or"
- 3. Page 1, Line 26:

After line 26 insert the following:

"(v) at the request of the board of the existing district or districts to be affected by the creation of the new district."; and

The Education Committee reports a favorable recommendation on **H.B. 253**, RURAL SCHOOLS - EQUITY IN EDUCATION, by Representative B. Johnson; and

The Education Committee reports a favorable recommendation on **H.B. 222**, SCHOOL AND SCHOOL DISTRICT SIZE TASK FORCE, by Representative D. Cox.

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

H.B. 111, as amended, **H.B. 76**, as amended, **H.B. 253**, and **H.B. 222**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 24, 2002

The Health and Human Services Committee reports a favorable recommendation on **H.J.R.** 10, RESOLUTION URGING FEDERAL CONSTITUTIONAL AMENDMENT TO PROTECT THE LIFE OF THE UNBORN, by Representative G. Way; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 25**, ADULT PROTECTIVE SERVICES AMENDMENTS, by Representative P. Jones, with the following amendments:

1. Page 4, Line 114:

Add comma after "medical"

2. Page 5, Line 128:

Place quotation marks before and after "Physical injury"

3. Page 7, Line 203: Add comma after "neglect"

4. Page 11, Line 322:

After "office," at the beginning of the line delete "and county or district attorney's office,"

5. Page 19, Line 565:

Bracket "subsection" and insert "Subsection (20)"; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 112**, HEALTH CARE MALPRACTICE ACT AMENDMENTS, by Representative K. Garn, with the following amendments:

- 1. Page 2, Line 36: After "(11)" delete "(a)"
- 2. Page 2, Line 37: After "facilities," delete "residential-"
- 3. Page 2, Line 38:
 After "care facilities," insert "health care"
- 4. Page 2, Lines 39 42:

After "organizations," insert "and" and after "disease facilities" insert "." and delete the rest of line 39 and all of lines 40 through 42; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 251**, FUNDING OF STATE AND COUNTY HEALTH AND HUMAN SERVICES LEGISLATIVE TASK FORCE, by Representative J. Seitz, with the following amendments:

- 1. Page 1, Line 16:
 After "following" delete "eight" and insert "ten"
- 2. Page 1, Line 18: After "party;" delete "and"
- 3. Page 1, Line 20:
 After "party" insert ": and
 (c) two members representing Utah counties, appointed by the Utah
 Association of Counties"
- 4. Page 1, Lines 25 26:
 After "(3)" delete the rest of line 25 and line 26 and insert "(a) A majority of the members of the task force constitutes a quorum.
 (b) The action of a majority of the quorum constitutes an action of the task force."

- 5. Page 1, Line 27:
 After "(4)" insert "(a)" and after "of the" insert "legislative"
- 6. Page 2, Line 28:
 After line 28 insert "(b) Members of the task force who are not legislators receive no compensation for their work associated with the task force."

Carl R. Saunders, Chair

Reports filed. On motion of Representative Saunders, the reports of the Health and Human Services committee were adopted.

H.J.R. 10, Sub. H.B. 25, as amended, **H.B. 112**, as amended, and **H.B. 251**, as amended,, read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

- **H.J.R. 4**, RESOLUTION ENCOURAGING CULTURAL COMPETENCY IN THE DELIVERY OF HEALTH CARE, read the third time by short title and placed on its final passage.
 - H.J.R. 4 then passed on the following roll call:

Yeas, 42; Nays, 25; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Buffmire	D. Clark	Daniels	Dillree
Duckworth	Fife	Goodfellow	Gowans
Hansen	Hendrickson	Hogue	Holdaway
E. Hutchings	B. Johnson	King	Litvack
Mascaro	McCartney	Morgan	Moss
Murray	Pace	Parker	Shurtliff
Siddoway	Styler	Thompson	Tyler
Urquhart	Young	_	-

Aagard	Alexander	Barrus	Bennion
Bryson	Bush	Buttars	Curtis
Dayton	Donnelson	Ferrin	Ferry
Garn	Hatch	Lockhart	Newbold

Peterson Ray Seitz Swallow Throckmorton Ure Wallace Way

Winn

Absent or not voting were: Representatives

S. Clark D. Cox Harper Jones
Philpot Saunders G. Snow M. Stephens

H.J.R. 4 transmitted to the Senate for its consideration.

* * *

H.B. 58, WATER FORFEITURE AMENDMENTS, read the third time by short title and placed on its final passage.

Representatives Buffmire, Snow, Ferry, Styler, Tyler, Hatch, Johnson, Buttars, Dayton, Dillree, Ure, Adair, Cox, Anderson, Parker, Hendrickson, Gowans, Fife, Mascaro, Garn, Wallace, Newbold, Donnelson, Peterson, Siddoway, and Stephens. declared a conflict of interest because they own water shares.

H.B. 58, as amended, then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	Buttars	D. Clark
D. Cox	Curtis	Daniels	Dayton
Dillree	Donnelson	Duckworth	Ferrin
Ferry	Fife	Garn	Goodfellow
Gowans	Hansen	Hatch	Hendrickson
Hogue	Holdaway	E. Hutchings	B. Johnson
King	Litvack	Lockhart	Mascaro
McCartney	Morgan	Moss	Murray
Newbold	Pace	Parker	Peterson
Ray	Saunders	Seitz	Shurtliff
Siddoway	G. Snow	Styler	Swallow
Throckmorton	Tyler	Ure	Urquhart
Wallace	Way	Winn	Young
M. Stephens	-		_

Voting in the negative was: Representative

Thompson

Absent or not voting were: Representatives

Alexander S. Clark Harper Jones Philpot

H.B. 58, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 66, JUDICIAL AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Bryson, the bill was amended as follows:

- 1. Page 1, line 7: After "also" delete the rest of the line
- 2. Page 1, Line 8: Delete "corpus,"
- 3. Page 8, lines 223 225: Delete lines 223 through 225.
- **H.B. 66**, as amended, then failed to pass on the following roll call:

Yeas, 35; Nays, 36; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Beshear	Biskupski
Bourdeaux	Bowman	Bradshaw	Buffmire
Daniels	Dillree	Duckworth	Ferry
Fife	Goodfellow	Gowans	Hansen
Hendrickson	Holdaway	E. Hutchings	King
Litvack	McCartney	Morgan	Moss
Murray	Pace	Shurtliff	Siddoway
Styler	Tyler	Young	

Aagard	Alexander	Barrus	Bennion
Bigelow	Bryson	Bush	Buttars
D. Clark	D. Cox	Curtis	Dayton

Day 4	Thursday, J	anuary 24, 2002	27
Donnelson	Ferrin	Garn	Hatch
Hogue	B. Johnson	Lockhart	Mascaro
Newbold	Parker	Peterson	Ray
Saunders	Seitz	G. Snow	Swallow
Thompson	Throckmorton	Ure	Urquhart
Wallace	Way	Winn	M. Stephens
Absent or not	voting were: Represe	ntatives	
S. Clark	Harper	Jones	Philpot
H.B. 66 , as	s amended, was filed.		
	MISCELLAN	EOUS BUSINES	ss
On motion 25, 2002, at 10	•	n, the House voted	l to adjourn until January
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	Read the second time Read the third time	8
	Signed by the Speaker and transmitted to the Governor	8
H.R. 2 HOUSE F	RULES RESOLUTION - PROCESS REVISIONS (W. Harper) Read for the first time and referred to the Rules Committee	7
	Read for the first time and referred to the Rules Committee Read the second time Read the third time	7
	Circled	8
	Uncircled	,
	Signed by the Speaker and transmitted to the Governor	8
H.R. 3 HOUSE F	RULES AMENDMENTS RESOLUTION (T. Hatch) Read for the first time and referred to the Rules Committee	7
	Read the second time	7
	Signed by the Speaker and transmitted to the Governor	8
H.R. 4 HOUSE F	RULES RESOLUTION - RULES COMMITTEE POWER (C. Bennion) Read for the first time and referred to the Rules Committee	7
	Read the second time	7
	Read the third time	
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	Read the first time by short title and referred to Rules Committee	12
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	Read the first time by short title and referred to Rules Committee Assigned to standing committee	12
S.B. 8 REPEAL	OF NATIONAL GUARD ADVISORY BOARD (M. Peterson)	
	Read the first time by short title and referred to Rules Committee	12 15
	Read the third time Circled	20
	Uncircled	20
CR 10 DEVISIO	Signed by the Speaker and returned to the Senate	20
3.B. 10 REVISIO	Read the first time by short title and referred to Rules Committee	12
	Read the first time by short title and referred to Rules Committee Read the second time Read the third time Signed by the Speaker and returned to the Senate	$\frac{15}{20}$
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5.B. 11 PROHIB	Read the first time by short title and referred to Rules Committee	12
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